REMARKS

Claims 1-8 and 11-29 are pending in the present application. Claims 1, 5-7, 11, and 19 have been amended to improve the clarity of these claims. New claim 29 has been added. Applicant respectfully requests reconsideration of the pending claims in view of the amendments and remarks set forth below.

In the Office Action, the Examiner rejected claims 1-8 and 11-26 under 35 U.S.C. § 102(e) as being anticipated by Chen (US 5,982,760). Applicant respectfully traverses this rejection.

In the rejection, the Examiner contends that Chen discloses a method and apparatus for power adaptation control in closed loop communications. Specifically, the Examiner alleges that Chen discloses detecting a quality of a signal received at a base station and instructing the base station to improve the signal quality. The Examiner further alleges that Chen discloses instructing a wireless device to decrease a power gain and to instruct the wireless device to increase a pilot channel power level in col. 2, lines 8-11 and col. 3, lines 14-23 of Chen. Applicant, however, respectfully disagrees with the Examiner's interpretation of Chen.

Chen discloses a method and apparatus for providing power control in a closed-loop communication system, wherein the base station monitors the quality of a feedback link with a mobile station. When the quality of the feedback link becomes unacceptable, the base station and the mobile station enter into an alternative mode of operation, which adjusts from a fast power control feedback mode to a slow power control feedback mode.

Applicant respectfully submits that although Chen teaches power control in a closed-loop communication system, Chen does teach or suggest instructing a wireless device to increase a pilot channel transmit power level and to decrease the power gain of other channels in relation to the power channel as claimed in claims 1, 5, 7, 27, and 28 of the present invention. Furthermore, Applicant respectfully submits that Chen does not teach or suggest to increase the power of a feedback channel without increasing the power of a second channel if a detected signal quality is less than a threshold as claimed in claims 11 and 19 of the present invention.

Chen discloses that the mobile station can increase the power of its feedback signals if the mobile station is in a soft handoff condition, and if the base station determines that the received power control messages are unacceptable, the base station can employ power control messages it receives from the base station controller (note col. 3, lines 16-23 of Chen). Applicant respectfully submits, however, that Chen does not disclose to instruct a wireless device to increase a pilot channel transmit power level and to decrease the power gain of other channels in relation to the power channel as alleged by the Examiner. Furthermore, Chen does not teach or suggest increasing the power of a feedback channel without increasing the power of a second channel if the detected signal quality is less than a threshold as also alleged by the Examiner.

In the final Office Action dated December 17th, the Examiner alleges that the measurement circuit of Chen is coupled to receive a current signal to determine a level thereof and a transmitter transmits a current control message to a second station corresponding to the level of the current signal (Chen, col. 3, lines 40-50) reads on instructing a wireless device to increase a pilot channel transmit power level and to decrease the power gain of the other channels in relation to the power channel. Applicant respectfully disagrees. As previously mentioned, nowhere does Chen disclose to instruct a wireless device to increase a pilot channel transmit power level and to decrease the power gain of other channels in relation to the power channel. Furthermore, Chen does not teach or suggest increasing the power of a feedback channel without increasing the power of a second channel if the detected signal quality is less than a threshold as also alleged by the Examiner. Accordingly, because Chen fails to instruct a wireless device to increase a pilot channel transmit power level and to decrease the power gain of other channels in relation to the power channel and increasing the power of a feedback channel without increasing the power of a second channel if the detected signal quality is less than a threshold, Applicant respectfully submits that Chen cannot possibly anticipate claims 1, 5, 7, 11, 19, 27, and 28 of the present invention and all claims dependent thereon. Therefore, Applicant respectfully submits that the rejection set forth by the Examiner is improper and should be withdrawn.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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